

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

NETLIST, INC.

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD, et al.

Defendants.

Civil Case No. 2:22cv00293-JRG
(Lead Case)

JURY TRIAL DEMANDED

NETLIST, INC.

Plaintiff,

v.

MICRON TECHNOLOGY TEXAS, LLC, et al.

Defendants.

Civil Case No. 2:22cv-00294-JRG
(Member Case)

JURY TRIAL DEMANDED

**SAMSUNG’S UNOPPOSED MOTION TO FILE A
SUPPLEMENTAL BRIEF IN SUPPORT OF ITS MOTION
TO (1) SEVER AND TRANSFER THE ’912 PATENT TO N.D. CAL.; AND
(2) STAY THE REMAINING PATENTS PENDING NINTH CIRCUIT APPEAL,
OR (3) ALTERNATIVELY, CONSOLIDATE WITH C.A. NO. 2:21-CV-463 (Dkt. 20)**

Samsung seeks leave to file a supplement to its pending motion to (1) sever and transfer the ’912 patent to N.D. Cal.; and (2) stay the remaining patents pending Ninth Circuit Appeal, or (3) alternatively, consolidate with Civil Action No. 2:21-cv-463 (Dkt. 20). Since Samsung filed its reply brief on October 12, 2022 (Dkt. No. 34), Netlist filed infringement contentions including additional claims that were at issue in the N.D. Cal. In light of Netlist’s assertion of additional claims that were at issue in the N.D. Cal., Samsung seeks leave to file a supplemental brief explaining how Netlist’s assertion of these claims further supports the requested relief.

For the reasons set forth above, Samsung respectfully, requests that this Court grant it leave to file a 3-page supplement to its motion to (1) sever and transfer the '912 patent to N.D. Cal.; and (2) stay the remaining patents pending Ninth Circuit Appeal, or (3) alternatively, consolidate with Civil Action No. 2:21-cv-463 (Dkt. 20), which is filed as the next docket entry.

Date: March 31, 2023

Respectfully submitted,

/s/ Melissa R. Smith

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Co., Ltd.; Samsung Electronics America, Inc.; and
Samsung Semiconductor, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was filed electronically in compliance with Local Rule CV-5 on March 31, 2023. As of this date, all counsel of record have consented to electronic service and are being served with a copy of this document through the Court's CM/ECF system under Local Rule CV-5(a)(3)(A).

/s/ Melissa R. Smith

CERTIFICATE OF CONFERENCE

Pursuant to Local Rules CV-7(h) and (i), counsel for the parties met and conferred about this motion. Specifically, Counsel for Defendants, Mr. Daniel Tishman, sent counsel for Plaintiff notice of Defendants' intent to file this motion and the requested relief on March 27, 2023. On March 29, 2023, counsel for Plaintiff, Mr. Tom Werner, indicated that Plaintiff does not oppose Defendants' motion for leave, provided that Plaintiff is permitted to file a response of no more than three pages within one week of Defendants' supplemental brief. Defendants do not oppose Plaintiff's request to file a responsive brief.

/s/ Melissa R. Smith